

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

Joel R. Glucksman, Esq. (JG 6443)
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Authority

In re:

JAMES MASSA,

Debtor.

CASE NO. 19-28865-MBK
(Honorable Michael B. Kaplan)

CHAPTER 13

Hearing Date:

Oral Argument: Not Requested

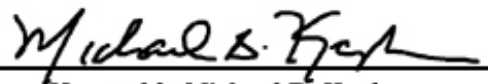


Order Filed on January 15, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**CONSENT ORDER RESOLVING OBJECTION BY THE OLD BRIDGE
MUNICIPAL UTILITIES AUTHORITY TO CONFIRMATION OF
THE DEBTOR'S PROPOSED AMENDED CHAPTER 13 PLAN**

The relief set forth on the following pages numbered two (2) through three (3) is hereby
ORDERED.

DATED: January 15, 2021


Honorable Michael B. Kaplan
United States Bankruptcy Judge

Debtor: James Massa
Case No. 15-33892-KCF
Caption of Order: Consent Order Resolving Objection by The Old Bridge Municipal Utilities Authority to Confirmation of the Debtors' Proposed Amended Ch. 13 Plan

THIS MATTER having come before the Court on the application of the debtor James Massa (the “**Debtor**”), seeking approval of his proposed amended Chapter 13 plan [ECF #78] (the “**Plan**”); and

The Old Bridge Municipal Utilities Authority (the “**OBMUA**”) having filed an amended proof of claim in this case, asserting a claim in the amount of \$8,542.14 [POC #3] (the “**Claim**”), secured by a statutory, priming lien on the Debtor’s real property at 178 Southwood Dr., Old Bridge, NJ 08857 (the “**Property**”); and

The OBMUA having also filed an objection to confirmation of the Plan [ECF #80], on the grounds that: (i) the OBMUA possesses the Claim as a secured claim, but the Plan treats the OBMUA as a priority creditor; (ii) the Plan lists the OBMUA for the wrong amount; and (iii) the Plan misnames the OBMUA; and

The OBMUA and the Debtor having amicably agreed to a resolution of the matters in controversy between them, pursuant to which the Plan will be deemed amended so as to accord the OBMUA its priming secured creditor rights, in the proper amount, together with statutory interest at the rate of 18% per annum (the “**Settlement**”); and

The Court having read and considered the papers presented, having noted the consent of counsel for the OBMUA and counsel for the Debtor to the relief set forth herein, as appears by their signatures hereto, and good cause being shown,

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Settlement as described herein is hereby approved.

Debtor: James Massa
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2. The Plan is hereby deemed amended to provide for payment under the Plan to the Old Bridge Municipal Utilities Authority (the "**OBMUA**"), in the amount of the Claim, as a priming secured claim in the amount of \$8,542.14, together with statutory interest at the rate of 18% per annum.

3. The Standing Ch. 13 Trustee is hereby directed to add the Claim to his distribution list in this case.

**CONSENTED TO AS TO FORM,
SUBSTANCE, AND ENTRY:**

SCARINCI & HOLLENBECK, LLC
1100 Valley Brook Av., P.O. Box 790
Lyndhurst, New Jersey 07071-0790
Telephone: (201) 896-4100
Counsel for The Old Bridge Municipal
Utilities Authority

/s/ **Joel R. Glucksman**
By: _____
JOEL R. GLUCKSMAN

Dated: January 4, 2021

ROBERT C. NISENSEN, LLC
10 Auer Court, Suite E
East Brunswick, NJ 08816
(732) 238-8777
Counsel for the debtor James Massa

/s/ **Robert C. Nisen**
By: _____
ROBERT C. NISENSEN

Dated: January 4, 2021

In re:
James M Massa
Debtor

Case No. 19-28865-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Jan 15, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 17, 2021:

Recip ID	Recipient Name and Address
db	+ James M Massa, 178 Southwood DR, Old Bridge, NJ 08857-1659

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 17, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 15, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor MIDFIRST BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Joel R. Glucksman	on behalf of Creditor Old Bridge Municipal Utilities Authority jglucksman@sh-law.com rjoyce@sh-law.com
Rebecca Ann Solarz	on behalf of Creditor MIDFIRST BANK rsolarz@kmlawgroup.com
Robert C. Nisenson	on behalf of Debtor James M Massa r.nisenson@rcn-law.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Jan 15, 2021

Form ID: pdf903

Total Noticed: 1

doreen@rcn-law.com;g2729@notify.cincompass.com;nisenonrr70983@notify.bestcase.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7